

McGREGOR W. SCOTT  
United States Attorney  
BOBBIE J. MONTOYA  
Assistant U. S. Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814-2322  
Telephone: (916) 554-2700

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH CARLILE,

Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of  
Social Security,

Defendant.

CIV-S-03-1330 PAN

STIPULATION OF THE PARTIES TO  
WITHDRAWAL OF DEFENDANT'S  
ANSWER PENDING COMPLETION  
OF REMAND PROCEEDINGS;  
ORDER

IT IS HEREBY STIPULATED by and between the parties, through their respective undersigned attorneys, with the approval of the Court, that Defendant's Answer and the Administrative Transcript filed August 26, 2004 are hereby withdrawn. The parties further stipulate that such filing was premature in that proceedings consistent with the Order of Remand filed October 9, 2003 have not yet been completed.

The parties further stipulate that counsel for Plaintiff will provide a facsimile of this stipulation bearing counsel's signature for retention in Defendant's case file, and hereby

authorizes counsel for Defendant to file this document in .pdf format under the latter's Electronic Case Filing password, pursuant to Local Rule 7-131.

DATED: April 14, 2005

/s/ Robert N. Campbell  
ROBERT N. CAMPBELL  
Attorney at Law

Attorney for Plaintiff

DATED: April 15, 2005

McGREGOR W. SCOTT  
United States Attorney

By: /s/ Bobbie J. Montoya  
BOBBIE J. MONTOYA  
Assistant U. S. Attorney

Attorneys for Defendant

OF COUNSEL:

JANICE L. WALLI  
Chief Counsel, Region IX

JEAN M. TURK  
Assistant Regional Counsel

Social Security Administration

RE: KENNETH CARLILE v. JO ANNE B. BARNHART, Civ-S-03-1330 PAN, STIPULATION AND ORDER  
EXTENDING DEFENDANT'S TIME TO RESPOND TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

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8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 KENNETH CARLILE,  
10 Plaintiff,

11 v.

12 JO ANNE B. BARNHART,  
13 Commissioner of  
Social Security,

14 Defendant.  
15

CIV-S-03-1330 PAN

ORDER

16 For good cause shown, the Court hereby grants the parties'  
17 request to permit Defendant to withdraw the Answer and  
18 Administrative Transcript pending completion of remand  
19 proceedings pursuant to sentence six of 42 U.S.C. § 405(g). The  
20 Order to Show Cause filed March 17, 2005, is hereby VACATED.

21 APPROVED AND SO ORDERED.

22 Dated: April 20, 2005.

23 /s/ Peter A. Nowinski  
24 PETER A. NOWINSKI  
25 Magistrate Judge  
26  
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